

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES**

**July 5, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Anderson – Present
Commissioner Swain – Present
Commissioner Woodward – Present
Commissioner Russo - Present
Chairman Backer – Absent

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

None

NEW BUSINESS:

None

OLD BUSINESS:

Review of the Comprehensive Plan

Chairman Lindell stated that the objective is to address as many of the recommendations from the state as possible by October, giving them November to address any loose ends and to have Town Manager Giles review the plans. He went on to say that they were to go through all the recommendations and decide which could be consolidated.

Commissioner Swain stated that they could consolidate many of the recommendations that dealt with housing.

Commissioner Russo suggested that they have someone that has a working knowledge of the code, preferably Mr. Giles, look over about half of the recommendations which dealt with code revisions. He went on to say that if they were to make a revision to the code that it would have to go before Mr. Giles anyway.

The Commission discussed Affordable Housing.

Chairman Lindell asked if there is currently a code that addresses zoning and affordable housing.

Commissioner Swain stated that you can't make affordable housing by code.

Commissioner Russo stated that the recommendation is to encourage affordable housing activities, not affordable housing. He went on to say that he feels that the building code is restrictive based on past meetings.

Chairman Lindell stated that the state wants the town to review the code to make it reflect what's in the Comprehensive Plan.

Chairman Lindell said AP 10, 11, & 13, all of which deal with sidewalks, will be reviewed by Mr. Giles to make sure it's in compliance with the Code.

Building Height regulations are discussed by the Commission.

Chairman Lindell asked if anyone's ever been denied a building permit due to the proposed height of the structure exceeding what's allowed in the Code.

Craig Hanna, Secretary to the Code Office, stated that has not happened since he's been with the town.

Commissioner Swain suggests they meet the state in the middle at 45' feet as opposed to the proposed 51'. He went on to suggest they consider allowing the height increase in the GI, and HD (Highway Development) Zones, and review the cases that fall in CC. Chairman Lindell continued on to AP 6, which deals with living conditions in the town.

Commissioner Swain feels that the suggestion the state has made is leaning in the direction of helping residents that can't afford to maintain their property. (i.e. the elderly, disabled, etc.)

Councilman Berg said that Public Safety has a program that addresses that issue already in place.

Commissioner Woodward stated he has been a long-time resident of the town and is completely unaware of the program.

Commissioner Swain asked how it was made known to the residents that it's available.

Councilman Berg stated he thinks it's on the town's website.

Commissioner Swain said, he feels, the people the town's trying to reach with the program do not surf the internet, and therefore, wouldn't check the website.

Commissioner Russo asked if there were a database that disclosed the ages of the town's residents, and if so, stated there should be a mailing to all "elderly" residents informing them of the program.

Commissioner Sheldon suggested Code Enforcement could recognize these situations and inform the residents that they can be helped.

Commissioner Swain stated that certain criteria should have to be met in order to get the assistance, and that it should be based on income more than the resident's age.

Commissioner Woodward suggests informing the residents by sending it out with their tax bills.

Chairman Lindell moved on to AP 12 dealing with a right-of-way inspection program.

Commissioner Swain spoke of sidewalks breaking-up from tree roots and it being the residents' responsibility to repair their sidewalks.

Commissioner Russo asked who should investigate what the other municipalities do regarding their right-of-way.

Commissioner Swain said Mr. Giles, because he would get answers easier than any of the Commissioners would.

Chairman Lindell agreed and made note of it.

Chairman Lindell moved on to AP's 14 & 15 that deal with floodplain issues. He stated that it's on-going and the Town Manager is aware of it.

Chairman Lindell moved on to the next recommendation of the state which was to review the town's GI Zone code. He stated that they did recognize some issues with it and are addressing them currently.

Chairman Lindell then moved on to AP 19 dealing with subdivision review. He went on to say the state wants them to consider incorporating contemporary subdivision and design practices.

The Commissioners agreed that there was some confusion on what was being asked of them, and decided to ask the Town Manager to help determine it.

Chairman Lindell moved on to AP 20 dealing with a review of the zoning and subdivision codes to address environmental protection.

The Commissioners agreed that this would be forwarded to Mr. Giles for clarification.

Chairman Lindell then moved on to AP 21 dealing with flag lots. He stated that they just need the code to reflect the comprehensive plan.

Chairman Lindell moved on to the states recommendation of reviewing the subdivision code to prevent negative in fill development.

Commissioner Swain stated that there are two conflicting recommendations from the state dealing with infill. He said one encourages infill, but then one says that there is concern that some new homes being built may be too big. He went on to say that the homes may appear to be too big for their lot, but if they meet the setback requirements and all for code, they can build it.

Chairman Lindell moved on to the recommendation the state made regarding the regulation of housing stock.

Commissioner Swain stated that it seems they're saying the town's code is prohibiting residents from being able to maintain their older houses, and he doesn't see that as the case.

Chairman Lindell stated he would ask Mr. Giles what the state means by their recommendation regarding the regulation of housing stock.

Chairman Lindell moved on to discussing the states' recommendation regarding tear-downs.

Commissioner Swain stated he doesn't feel that they discourage anyone tearing something down and putting something else up.

Chairman Lindell asked if they are addressing this as a town wanting a tear-down program or an individual wanting to tear-down and rebuild on the same footing.

Commissioner Anderson asked if the town would want to promote something like this as if to tear down all the old homes and build new ones.

Commissioner Swain stated he feels that if someone comes into the town and decides they want to do it, they're going to do it. He went on to say that he doesn't feel that the town has a lot of run down houses that would merit having a program.

Chairman Lindell stated they were going to get clarification on the states recommendation regarding tear-downs.

Chairman Lindell then moved on to the next recommendation that deals with annexation. He stated now that they have it in the Comprehensive Plan they can start to look for where they want to stake a claim.

Commissioner Swain stated the state wants to know what the town's process will be dealing with annexation.

Chairman Lindell moved on to the next recommendation which was to have someone monitor the state, county, and municipal planning activities.

Commissioner Swain and Councilman Berg pointed out that Councilman Jaremchuk, Councilwoman Personti and the Mayor are keeping an eye on Chestnut Run.

Chairman Lindell stated that overall they may want someone to keep an eye on the town's surrounding areas, and that they will find out if someone currently does or not. He then asked if anyone would object to having another meeting in July to discuss the Comprehensive Plan.

Commissioner Swain suggested they see what the agenda for the August meeting looks like and, if there's too much on it, meet a second time that month.

Chairman Lindell stated that they need to get the Comprehensive Plan to Town Manager Giles by the end of October. He went on to say that he would personally meet with Mr. Giles, go over the Commission's concerns and discussions, and have something prepared for the meeting in August.

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Swain to adjourn. Commissioner Russo seconded the motion.

VOTE: All in favor 6-0 with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the July 5, 2011 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

CHARLES LINDELL, CHAIRMAN

LEON BACKER, SECRETARY